



Excerpts of Preliminary Amendment

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Title Of Invention: A method and system to enable, to organize, to facilitate, and to transact communications for a fee or cost utilizing a network such as the Internet .

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Amendments

[0009.1] No system or method, including telephonic "900" numbers, address the need and demand for a threshold-based gate-keeper that charges a fee or requires a Caller Party bear a cost in order to have the Caller Parties' communication received by the Receiver Party. Nine hundred prefix telephone numbers, or "900" numbers, allow a Receiver Party to charge a Caller Party a fee, usually per minute, for the Caller Party to receive (not transmit) information. "900" numbers are called "pay-per-call" services because the Caller Party pays for the call as well as

the cost of the information or service provided during the call.
Charges for the 900 number calls are set by the 900 number
companies, not by the government or by the telephone companies
and often are much higher than regular long-distance rates. "900"
numbers are often government regulated and require a notice that
the Caller Party can hang up and not be charged for the call
within 3 seconds of hearing a certain tone or signal.

[0009.2] Most people think "900" numbers have and deserve a
bad reputation. In the popular mind, they are associated with
deceptive get-rich-quick schemes, phone-sex pornography, and
frauds. They became known as vehicles for professional scam
artists to charge Caller Parties exorbitant telephone Charges for
bogus programs or faulty information.

[0009.3] As a system or method, "900" Numbers are largely
synchronous, time-based, audio-based, and do not in general allow
the Caller Party to send or transmit information and they do not
store or direct the Caller Parties' information.

[0010] With regard to fee-based communications, any potential
transactions and communications fail to be consummated or
transmitted. Examples include current situations where a lawyer
or accountant would only answer a question or read a
communication if he is paid to do so. Another example is a
situation where a Caller party would pay to transmit or to direct

a request for a recommendation for a financial portfolio or stock but where the financial planner or broker would receive the communication or provide his service or answer only if he is compensated for his time, access, or recommendation. Another example is a situation where a Caller party would pay to transmit or to direct a request for technical assistance or support but where the technical support system or personnel would read the communication or supply an answer only if it or they are compensated. Another situation is where a Caller party would pay to transmit a request for a psychic reading or horoscope forecast that would likely only be performed if the psychic or astrologer is compensated. Another example would be a situation where a Caller party would pay to transmit communication to a famous athlete, rock musician, or fashion model but where the athlete, musician, or model is likely to read or respond to a communication only if compensated.

[00013.1] Bulk email, "spam", junk email, or otherwise unsolicited or undesired emails (aka "Junk Email") have become an increasing annoyance and burden to Receiver parties, system administrators, and internet access providers. Often junk emails solicit bogus investment schemes, pornography, and other unwanted materials. These junk emails abound because it does not cost the Caller party a great amount of money to send their communication to many Receiver parties. The junk emails can arrive at or in a Receiver party's mail server, in-box, or email account in such

variety and amount that the mere act of the Receiver party sorting through and deleting the junk emails wastes significant time, resources, and effort. The present method and system can reduce the number of unwanted or unsolicited emails that arrive at or in an existing mail server, email account or in-box, by introducing a threshold payment requirement prior to the communication or email reaching the mail server or alternatively before the email reaches the user's email inbox, by for example returning a communication to the Caller party requesting a fee be paid prior to granting the communication access or by not allowing the email to enter the email account or in-box until the access fee has been paid. Limiting a communication's access to the existing email server, account, or in-box would likely significantly reduce the amount of junk emails, bulk emails, and other unsolicited emails that arrive in or at the mail server, email account or in-box. A significant additional benefit to the Receiver Party of using the method and system is that Caller parties who send Junk email often use falsified return addresses so that an automated reply by the present system or method to a junk email would not be responded to by the Caller Party. Since the Caller Party likely will not respond to the automated request to the supplied unauthentic reply address, sender address, or initiating party address, and very likely the Caller Party will not pay a fee for access, much of the spam or junk email would not enter into the Receiver party's mail server, "in-box", email account, or similar account. Of course, if the Caller Party pays

the access fee or cost as required by the Receiver Party then the Caller Party may transmit "junk mail" that would enter the Receiver Party's mail server, email account, in-box, or similar account. As a precaution, the Receiver Party could alternatively or also direct the present system or method to preserve emails that were not responded to or funded by the Caller party, so that potentially worthwhile communication is not lost.

[0017.1] In some cases, such as reducing the number of "junk emails", reducing the amount of communication is desirable and promotes economic efficiency, reduces waste, and provides value.

[0037.1] In some cases, Receiver Parties also want to authenticate the identity of the Caller Party or the source of the communication. The present method, for example by requiring the Caller Party to transmit authenticate identifying information and or payment information will require, in most instances, the Caller Party to identify or authenticate himself or herself. Of course, to maintain maximum flexibility to the participants, the system and method allow the option for Caller Parties to remain anonymous and additionally for Receiver Parties to accept or reject communication from anonymous sources or from anonymous, undisclosed, private, or generic email addresses, accounts, or servers.

[0042.1] People need a means to protect their existing email servers, email addresses, and the goodwill built up into those resources and yet at the same time limit the access to the traditional email accounts and servers. The current system and method allow the user more flexibility to deny communication to the existing email resources at the same time offer new services and revenue streams.

[0048] In essence, the present invention enables a (i) Merchant Intermediary with a network presence ; (ii) a internet access provider; (iii) a email gateway; or (iv) similar entity to function as an organizer, marketer, market maker, broker, salesman, sales venue, endorser, agent, transmitter, cashier, service provider, common carrier, or authenticator of communication from Caller parties (or "Fans") in the general public to accounts, mailboxes, or addresses associated with Receiver parties, including famous or renowned Receiver parties ("Stars"), where a fee or cost is directly or indirectly charged to, borne by, or debited against a Caller party (or a third party) in a manner such that the fee or cost directly or indirectly benefits, in whole or in part, the Receiver party.

[0053.1] Additionally, the system and method reduces the amount of unwanted communication, in particular junk email, that is sent in bulk to existing email addresses. The imposition of a fee or cost increases the costs to the Caller Parties sending junk email such that bulk emailing of junk email is less attractive, efficient, and rewarding as a means of reaching many people cheaply.

[0059.1] The Receiver Party also benefits by reducing the amount of junk email or unwanted email in his or her email in box, mail server, or email account.

[0072] More specifically, in the preferred embodiment of the present invention that utilizes a web-based email paradigm, the system and method provides a system and method to enable parties in the general public with network access 103 in Fig. 1 to visit the network presence site (or "server") or address ("URL" or "Uniform Resource Locator") of a Merchant Intermediary 105.

[104.1] In the less preferred embodiment that utilizes a traditional mail server, the advantage is that the Receiver Party can maintain the same email address. The less preferred embodiment has particular benefits in preventing junk email,

spam, or similar unsolicited or undesired email or other communication from reaching either the incoming mail server or from reaching the user's inbox without prior payment of a fee or cost. In this less preferred embodiment, the Merchant Intermediary, internet access provider, email gateway, or similar entity or provider of the system and the method can be positioned at such a point as the incoming communication may first enter into the system and method before reaching the Receiver Party's destination mail server or alternatively the system and method can be positioned so that once the incoming mail reaches the mail server, the system and method can then act upon it. The system and method will function in either position or in other positions as well depending on the specific desires and choices of the Receiver Party, the system administrator or the internet access provider. In any case, after the communication's header indicates an email destination, the system and method check its database to determine if the Receiver Party associated with that address or account has decided to make use of the method and system. If the Receiver Party has chosen to make use of the method and system, then the Receiver Party's name, account, or address is in the Merchant Intermediary's or the system or method's database as a Receiver Party who desires a fee or cost be borne by the Caller Party. At this point, the system or method or the Merchant Intermediary sends a reply or other communication back to the address listed as the Caller Party's address or the originating party's address. This reply communication notifies the Caller

Party that the Receiver Party requests a fee or cost be borne by the Caller Party in order to access the Receiver Party.

[104.2] If the communication was "junk email" with an incorrect or unauthenticated originating or reply address, then likely the Caller Party will not receive the system and method's reply communication and the original communication will either sit in the system and method or the Merchant Intermediary, be returned in full to the initiating Caller party, or otherwise deleted. Alternatively, the Receiver Party can either secretly or openly, request that these communications be provided to the Receiver Party. But in most cases, where the email is authenticate and not spam, the Receiver Party, will receive from the system and method or the Merchant Intermediary an email requesting that the Caller Party pay a fee or bear a cost. The Caller Party will then in most cases be directed to a web site where either the Caller Party can access the Caller Party's existing account or payment information or establish a new account or payment information and identifier. Once the Caller Party has provided the system and method or the Merchant Intermediary with the required information, then the System and method will process the fee transaction, generate a code or identifier that signals the system and method or Merchant Intermediary to pass the existing email account to the Receiver Party's mail server, email account, or in-box, depending on where

the system and method and Merchant Intermediary are deployed.
After that, the system and method will generate a payment
accounting for the Receiver Party and in most cases generate an
invoice to both the Receiver Party and to the Caller Party to
memorialize the transaction.

[104.3] There are many different ways to deploy the system
and method or utilize the Merchant Intermediary in the
traditional mail server situation using 'existing' email accounts
or addresses, and the means and examples herein provided simply
attempt to illustrate possible deployments, uses, or examples.

[108.1] In the embodiment of the system and method wherein
the system and method are deployed in a position between the
internet and the destination mail server, the system and method
will receive the communication before the destination mail server
does. At this point, the system and method can check a database
to determine if the Receiver Party's email address or account is
one that participates in the system and method. If the Receiver
Party and the associated email account and address is one that
has already enrolled in the system and method and thereby chooses
to require the Caller Party to bear a cost or pay a fee prior to
allowing access to the Receiver Party, then the system and method

can do several things. At this point, the system and method can check the Caller Party's address against a database to determine if the Caller Party is one who already participates in the system and method. If the Caller Party already is a participant, the Caller Party may have already provided instructions to the system and method about how to handle the transaction. For example, where both the Receiver party and the Caller party are enrolled, the Caller Party could have instructed the system and method or Merchant Intermediary to accept to pay for all emails to the Receiver Party's address with or without a limit on the maximum fee per email, or alternatively the Caller Party agrees to pay for all emails that are each less than thirty five cents each , or alternatively the Caller Party could have initiated and chosen any number of variables or scenarios that are possible so as to anticipate acceptable terms and to make an agreement between the parties. If the system and method has sufficient information and agreement from both parties, then the email could be automatically transferred to the Receiver Party, the Caller Party automatically billed the fees, the Receiver Party automatically credited with the amount due him, and the financial and other information accounted for. In that case, the Caller's email will arrive in the Receiver Party's email account or in-box automatically and very quickly.

[108.2] In the event that the Caller Party is not already listed in the database as a participant, then the system and method will query the Caller Party for more information and provide information to the Caller Party that the Receiver Party requires a fee or the bearing of a cost in order to accept the transmission or access the account. Most often, this will be done by the system and method automatically generating a reply to the Caller Party via the internet that reaches the Caller party's destination mail server, informing the Caller Party of the details or requirements as established by the Caller Party.

[108.3] In the event that the email was spam, junk email, or had a forged or inauthentic reply address or other information, then likely the system and method's query of the Caller Party will be "bounced back" or returned as being an invalid address. At such time, the requirements and choices that the Receiver Party has established for the treatment of communication with inauthentic return, reply, or destination email addresses will determine how the communication is treated. Most often the junk email or span will be deleted prior to, in this embodiment, ever reaching the Receiver Party's destination mail server.

[108.4] Other embodiments place the system and method behind the destination mail server, such that the mail is received by the destination mail server and then the system and method queries the Caller Party. In those embodiments, the mail first reaches the destination mail server, then only thereafter reaches the system and method. In those embodiments, the system administrator or the Receiver Party will determine how to dispose of or treat communication with inauthentic reply addresses or that otherwise fail to have the replies correctly returned.

[108.5] Again, the system and method are designed for maximum flexibility in order to achieve maximum useful and choice to the parties.

[109] In general, to receive e-mail, a Receiver party 107 must have an "e-mail address" which is associated with an account that is usually on a traditional or web-based mail server.

[0123.1] As discussed, the system and method can be deployed or positioned in-between the Receiver Party's destination mail server and the internet so that eh system and

method receive the communication, process the communication, determine if the various parties are participants, and have the system and method act on the communication prior to the Caller Party's communication reaching the Receiver Party's destination mail server.

[0124.1] In the embodiment where the system and method are positioned between the receiver Party's destination mail server and the internet, the communication will be processed before it reached the Receiver party's destination mail server, and only those communications that satisfy the Receiver Party's criteria as previously established will pass through the system and method and into the Receiver Party's destination mail server, email account and in-box.

[0124.2] In those embodiments that are positioned between the Receiver Party's destination mail server and the Receiver Party's email account or in-box, the system and method or the Merchant Intermediary will process those communications after the Caller Party's communication has reached the Receiver Party's destination mail server.

[0127.1] There are many different ways to deploy the system and method using traditional mail servers alone or a mix of

hybrid elements of web sites and destination mail servers, or other automated or web based elements.

[0137.1] One of the advantages of using the traditional mail server embodiment is that most users may want to keep their existing email addresses and not establish new ones. In addition, many of these users simply want to not allow spam or junk mail to reach their established accounts, but do not want to set a high price for incoming emails so as to encourage more people to email or communicate more often. These Receiver Parties may want to set the price for receiving or allowing a Caller Party to access their email account just high enough to discourage junk emailers but low enough to encourage legitimate advertisers to pay to send them directed advertising emails that are related to known interests of the Receiver Party.

[0140.1] One of the disadvantages of the web based systems is that they usually require a user to procure a new and different email address.

[0141.1] For purposes of the present invention and the system and method, the web based refers to any mailing system that utilizes a mixture of the protocols for transferring

information between computers over a network, but present invention and the system and method is not reliant on any particular protocol, standard, or application.

[0142] These types of web-based mail applications often use CGI on the web server side and Internet standards POP, SMTP, and IMAP on the e-mail side. They usually require that a user on the World Wide Web arrive at the web site of the Web-based mail server, provide the web based application with the POP id or username associated with the user's current mail server, type in an Internet address, and then enter the user's password. The web based application can query~~ies~~ the user's web based mail server or the traditional mail server, either downloads or receives copies of the user's mail existing in the user's mailbox on the traditional mail server, and then displays the mail on the web page.

[0145.1] In the system and method utilizing a web-based email application or gateway, the system and method can work on the web site itself, as the Caller Party enters the information, after the Caller Party has directed the email but before it reaches the web based email destination server, or after the mail has reached the web-based email destination server and before it has reached the user's account or in-box.

[0149] A web based implementation is also preferable because in the preferred embodiment of the present invention, the Merchant Intermediary's integrated web site performs the following functions all in one series or web site: encrypts or keeps secret from the Caller party the address or location of the Receiver party's account or address, formats the Caller party's communication or transmission, transacts or processes the Caller's payment or transfers rendered, transmits or directs the Caller's communication to the account of the Receiver, and accounts to and compensates the Receiver party for participating in the system or for downloading a Caller's transmitted communications all from one integrated system.

[0154.1] In the preferred embodiment of the present invention's system and method, the Merchant Intermediary (i) engages Receiver Parties to participate for example by providing data entry forms for establishing accounts and payment information; (ii) authenticates that the Receiver party is truly the party that the public recognizes or commonly associates with the name or association given by or to the Receiver party for by example requiring that the Receiver Party provide his social security number and address and getting a liability release from the Receiver Party so that the Receiver Party's information can

be automatically cross checked against a credit report to see if
the Receiver's information matches the credit report and then if
it matches the information and identity of the Receiver Party is
considered automatically authenticated; (iii) upon establishing
an account for example provides Receiver Parties with secret or
proprietary accounts, addresses, or mailboxes for placement or
storage of communication if desired; (iv)organizes a network
accessible searchable database or finding function which can
include information detailing participating Receiver Parties as
well as communicate the price of transmitting or directing
communication to a Receiver party by for example organizing and
displaying information and search functions in a visually
appropriate and pleasing fashion; (v) advertises and manages the
network site or database to draw visitors and focus attention by
for example paying celebrities or others to appear in
endorsements or in photos that include the name of the web site;
(vi) establishes accounts for payment by Caller parties by for
example requesting that Caller Parties fill out forms with
information that includes their name, address, credit card
numbers, and other information that may be needed or useful for
processing financial transaction; (vii) establishes a legally
binding agreement with the Caller party and between the Caller
and Receiver parties by for example writing and displaying a
standard or several form legal agreements that the Receiver Party
may require a Caller APrtly to agree to in order to access the
Receiver Party's account; (viii) provides forum and means and

common terms to publish or to negotiate terms, conditions, and variables upon which Callers and Receiver parties may agree in forming a contract, license, or agreement for example by requiring a user agreement which all Caller and Receiver Parties must agree to in order to participate in the method and system; (ix) provides Caller Parties with a means or form in which to communicate or transmit or direct communication to Receiver Parties by for example providing a text box on the web site such that a Caller Party may type or paste in the text or substance of the communication; (x) processes and receives Caller Parties payment or obligations by for example debiting the Caller Parties bank account or credit card with the funds expended; (xi) authorizes, processes, and accounts for financial transactions by for example, keeping track of the monies billed, the amounts due the Receiver Party, and providing invoices or billings statements or similar per transaction or monthly or periodic statements to all parties detailing the costs and benefits of participating; (xii) stores, directs, or transmits the Caller party's communication to accounts, mailboxes, or addresses associated with the Receiver party for example until the Receiver Party requests or retrieves the communication; (xiii) delivers or stores Caller party's communication to or in the Receiver party's account, address, or mailbox for Receiver party's access by for example in order of the time that they were received or the price paid by the Caller Party; (xiv) optionally processes, filters, or formats Caller's communication for easier management,

organization, or viewing by Receiver party by for example
organizing the communication by time, limiting the size of the
communication, classifying the substance of the communication by
comparing the words of the communication with common feeling or
expressions and thereby characterizing the substance of the
communication; (xv) accounts and pays for fees and costs by for
example negotiating the payment of costs due; and (xvi)
compensates Receiver Parties for participation or by arrangement
or for downloading the communication by for example, crediting
Receiver Party's credit card or writing checks to Receiver
Parties for the amounts of the monies due Receiver Parties on a
periodic basis.